

**From:** David Livesay, Ph.D.  
**To:** Microsoft ATR  
**Date:** 1/23/02 9:30pm  
**Subject:** Microsoft Settlement

To Whom It May Concern:

I am writing to express my opposition to the proposed settlement of the Microsoft antitrust case. I feel that the proposed settlement is riddled with loopholes that will allow--and in some cases even sanction--Microsoft's unfair, illegal and economically disruptive business practices.

I believe that the best way to ensure a healthy and competitive technology industry, and to promote competition by Microsoft and its competitors, would be a structural remedy that splits Microsoft in such a way as to prevent them from leveraging their monopoly products to gain unfair advantages in other markets, and to enjoin them from enforcing unreasonable policies that prevent the development of competitive operating systems and other software products.

Although I do not consider myself a conservative, I support the recommendation presented to the court by the Progress and Freedom Foundation which advocates splitting the operating systems from the other software and Internet services, but also would create three operating system companies that would have to offer innovations and alternative features in order to compete with each other, thereby increasing consumer choice and stimulating the economic performance of the technology sector.

A remedy such as this would allow market forces to stimulate innovation and consumer responsiveness without the need for expensive and ineffectual regulation and enforcement.

Sincerely,  
David A. Livesay, Ph.D.